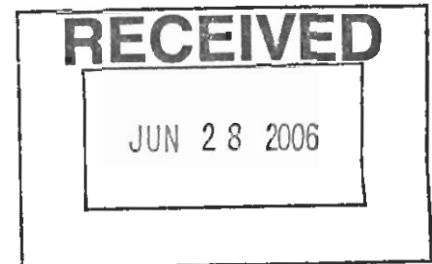


HONORABLE JUDGE  
JOSEPH J. FARNAN  
U.S. DISTRICT COURT  
844 N.KING STREET  
WILMINGTON,DELAWARE  
19801

CASE#06-018-JJF

OBJECTION TO DEFENSE  
REQUEST TO DISMISS



DEAR SIR,

THIS IS THE PLAINTIFFS  
TURN TO SHOW CAUSE TO WARRANT TRIAL AND REQUEST THAT THE  
DEFENSE MOTION TO DISMISS PLEASE BE DENIED.

1. THAT DELAWARE <sup>DWI</sup> LAW STATES THAT IF A DEFENDANT IN A MISDEMEANOR CASE CHOOSES TO ENVOKE THEIR STATUTORY RIGHT TO REFUSAL THE POLICE CANNOT INVOLUNTARILY TAKE CHEMICAL TEST.
2. THAT THERE IS ENOUGH STATEMENTS OF REFUSAL IN DELAWARE LAW THAT WITHOUT VEHICULAR MANSLAUGHTER OR INJURY THE ACCUSED HAS A STATUTORY RIGHT TO REFUSE A CHEMICAL TEST.
3. THAT WEBSTERS DICTIONARY DEFINES REASONABLE AS "NOT EXTREME OR EXCESSIVE OR IMMODERATE."
4. THAT WEBSTERS DICTIONARY DEFINES EXCESSIVE - APPLIES TO THAT WHICH GOES BEYOND WHAT IS PROPER.
5. PLEASE REFER TO ENCLOSED DOCUMENTS.

" CONCLUSION"

THAT IF THE STATE  
ALLOWS YOU TO ENVOKE STAUTORY RIGHT TO REFUSAL, YOU EXERCISE  
YOUR RIGHTS AND POLICE DRAG YOU FROM THE POLICE CRUISER AND  
CREATE AN INJURY TO A SUSPECT AND FORCIBLY TAKE EVIDENCE THAT  
THI S BECOMES AN UNREASONABLE ACT WITH EXCESSIVE FORCE.

CC. BRUCE HERRON

RESPECTFULLY

*H. Leighton Laskey*  
H. LEIGHTON LASKEY  
527 BALTIC AVE  
BALTIMORE, MD